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Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Comprehensive report on the implementation of the pilot project designated by the General Assembly in resolution 63/287

Report of the Advisory Committee on Administrative and Budgetary Questions

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the comprehensive report of the Office of Internal Oversight Services (OIOS) on the implementation of the pilot project designated by the General Assembly in resolution 63/287 (A/66/755). During its consideration of the report, the Committee met with the representatives of OIOS, who provided additional information and clarification.

2. The report was issued pursuant to the request of the General Assembly for a comprehensive report on the pilot project, carried out from 1 July 2009 to 30 June 2012, on centres of investigation in Nairobi, Vienna and New York. The report set out an assessment of the pilot project, including information on the deployment of resources, case management, caseload analysis, overall effectiveness and efficiency, and qualitative assessment and lessons learned.

II. Background

General Assembly resolutions 57/318, 61/275 and 61/279

3. The Advisory Committee recalls that in its report on the administrative and budgetary aspects of the financing of the United Nations peacekeeping operations for the 2002/03 period, it requested that the Secretary-General prepare a report on its experience with resident investigators in peacekeeping missions, including proposals and future plans for the Committee's review in the context of peacekeeping budgets. The Committee also requested that various options be

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explored, including regional approaches in collaboration with other United Nations partners such as funds and programmes and specialized agencies (see A/56/887, para. 55).

4. As requested, the Secretary-General issued a report describing the experiences of resident investigators in peacekeeping missions and examining regional options. The report indicated that peacekeeping mission management welcomed resident investigators as a means of solving local problems in a time-efficient and effective manner without requiring travel from New York, but the lack of independence and control was identified as a negative factor (see A/57/494, paras. 14 and 15). In comparison, regional investigators in Nairobi and either Geneva or Vienna would be in reasonable proximity to the missions and would be able to respond in a timely manner, and would have the required independence from missions (see A/57/494, paras. 19-26). The Secretary-General concluded that the placement of regional investigators in Nairobi, Geneva or Vienna would be more efficient than maintaining the current arrangement of using New York as the base of operations (see A/57/494, para. 34).

5. By its resolution 57/318, the General Assembly approved the establishment of eight posts for the Investigations Division of OIOS, to be divided evenly between the regional hubs in Vienna and Nairobi, and requested that the Secretary-General report back on the cases processed by the regional investigators.

6. In its report on the first year of experience of regional investigators in Vienna and Nairobi (A/59/546), OIOS provided an analysis of the case activity and mission travel from the two regional hubs. According to the analysis, the merits of regional hubs included reduced costs per case and travel times compared with cases handled by staff at Headquarters. However, it was stated that regional investigators would not have the detailed knowledge about individual missions that resident investigators acquired. The report indicated that larger and more complex missions demanded a more readily available presence by investigators, and peacekeeping mission managers highlighted the benefit of the informal advice that could be swiftly provided by resident investigators (see A/59/546, paras. 35-38). As a result, the report concluded that the most effective approach was a combination of resident and regional investigators.

7. The General Assembly subsequently requested a report on the functions, structure and work processes of the Investigations Division of OIOS with a view to strengthening the investigation function (see resolution 61/275) as well as a comprehensive report on the result of the ongoing examination and rationalization of the investigation caseload and the overall review of the capacity of the Division (see resolution 61/279).

8. Following a review of its Investigations Division by an external expert, OIOS issued a report that suggested improvements in three areas: effective leadership and management; operating strategies and procedures; and optimal structure and location (see A/62/582 and Corr.1, para. 15). As part of the restructuring proposals, OIOS suggested that investigators be relocated from the peacekeeping missions to one of three regional centres, located in New York, Vienna and Nairobi. It was indicated that this would co-locate investigators in a larger pool to ensure that the specific skills required for a case were readily accessible while still being close enough to the peacekeeping missions to be able to respond to any critical needs within a few business days. This structure was expected to maximize investigators'

time and expertise by directing them to high-risk cases within the remit of the regional centre, rather than being limited to cases within the peacekeeping mission. Other stated advantages were that staff would work in an environment more conducive to professional interaction with colleagues and would be able to obtain cost-effective training and support, and that there would be more effective management of cases and more effective supervision of investigations. Furthermore, the report indicated that the restructuring would result in cost savings related to a reduction of 18 posts (see A/62/582 and Corr.1, paras. 47-55).

9. The Advisory Committee recommended that a detailed analysis and fuller justification for the proposed restructuring of the Investigations Division be provided (see A/62/7/Add. 35, para. 23), and that recommendation was endorsed by the General Assembly in its resolution 62/247. Details on the restructuring proposal, including the redeployment of resources from the missions to the hubs, were subsequently reflected in the proposed budget for the support account for peacekeeping operations for the 2009/10 period (A/63/767 and Corr.1).

10. Upon review of the proposed budget, the Independent Audit Advisory Committee recommended the approval of the plan for the restructuring of the Investigations Division on the basis that the budget would be reduced by $955,000 despite an increased caseload (see A/63/703, para. 31). The Advisory Committee also agreed with the proposed restructuring (see A/63/841).

III. Implementation of General Assembly resolution 63/287

11. By resolution 63/287, the General Assembly decided not to introduce the proposed structure based on the hub approach, deciding instead to designate, as a pilot project from 1 July 2009 to 30 June 2012, centres of investigation in Nairobi, Vienna and New York, while maintaining resident investigators in some peacekeeping operations. It requested a preliminary report on the status of implementation of the pilot project, to be followed by a comprehensive report submitted in the context of the 2012/13 support account budget, after full consultations with all relevant stakeholders. The comprehensive report was to include: (a) a complete qualitative analysis of the implementation of the three-year pilot project, including the lessons learned; (b) a clear and transparent presentation of the existing structure and the pilot project structure and their respective coverage of field missions; (c) a comprehensive cost-benefit analysis, including of the effectiveness and efficiency of the structure of the pilot project based on accurate assumptions, including an analysis of the long-term trend of investigations in field missions; (d) fully justified rationale for all deployments of investigations staff and resources and the ability of OIOS to respond to changing caseload requirements; and (e) complete and updated information on the current staffing, vacancy rate and caseload (see resolution 63/287, paras. 37-40).

12. A preliminary assessment of the pilot project by OIOS indicated that the allocation of resources did not fully respond to particular operational or geographic demands for investigation, as peacekeeping missions were allocated one to three investigators, while Vienna was allocated positions that, in terms of both seniority and number, exceeded management and operational needs. According to the preliminary report, productivity may be enhanced by the deployment of resident investigators (see A/65/765, paras. 19-23). The Advisory Committee recommended

that the General Assembly take note of the report (see A/65/827), and that recommendation was endorsed by the Assembly in its resolution 65/290.

13. **In response to resolution 63/287, OIOS issued its comprehensive report on the implementation of the pilot project (A/66/755). The Advisory Committee notes that the total budget for the investigation capacity during the pilot project was $26.84 million, comprising $8.52 million for 2009/10, $8.85 million for 2010/11 and $9.47 million for 2011/12. Of the 57 support account positions during the pilot period, 43 were Professional level positions and 14 were support service positions** (see A/66/755, para. 12).

14. OIOS reported that a total of 1,151 matters had been received — of which 348 had been predicated for OIOS investigation and 345 had been referred back to the missions — and provided a breakdown of cases by mission and category. The seven missions with resident investigators during the pilot period were the United Nations Stabilization Mission in Haiti, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), the African Union-United Nations Hybrid Operation in Darfur (UNAMID), the United Nations Interim Force in Lebanon, the United Nations Mission in Liberia, the United Nations Mission in South Sudan (UNMISS) and the United Nations Operation in Côte d'Ivoire. The analysis was described as reflecting a downward trend in the number of matters reported (see A/66/755, paras. 24-33).

Resident investigators

15. According to OIOS, resident investigators provided the following advantages: more timely responses to reported matters; observation of the mission environment; the collection of case-specific information; the building of trust in the investigative process; and the provision of access and consultation for peacekeeping mission management. The presence of investigators was associated with a higher number of reported matters, but this was considered by OIOS to be a consequence of the access of mission personnel to the investigators (see A/66/755, paras. 35 and 51).

16. Recruitment of resident investigators was, however, identified in the report as a serious challenge: for the period 1 July 2009 to 31 December 2011, there had been an average monthly vacancy rate of 44 per cent in the 15 positions allocated to the missions, whereas the centres had had an average monthly vacancy rate of 30 per cent (see A/66/755, para. 41). Paragraph 60 of the OIOS report indicated a downward trend in the current vacancy rates. Upon enquiry as to the current status of vacancies, the Advisory Committee was informed that as at 31 March 2012, the monthly vacancy rate for missions was 33 per cent, compared with 21 per cent for Vienna and Nairobi (with no vacancies in New York). The report stated that owing to the vacancy rates, the majority of cases had been handled by staff in the centres, and that this had demonstrated that cases could be handled from either venue and that the most important factor was the ability to deploy qualified investigators (see A/66/755, para. 49).

17. In addition, it was stated that retention periods had averaged 13 months for investigators in the missions, compared with 19 months in the centres. The report stated that only 68.6 per cent ($11.92 million) of the total support account budget of $17.37 million for the first two years of the pilot project had been utilized, owing primarily to vacancies (see A/66/755, para. 41).

18. **The Advisory Committee notes the slight reduction in vacancy rates of investigators with respect to both peacekeeping missions and regional centres of investigation, but still considers the vacancy rate to be high. The Committee expects the progress made in terms of vacancy rates to be sustained and urges OIOS to ensure that all the remaining vacant posts are filled as soon as possible.** The Committee comments further on the situation of vacancies in OIOS in its report on the support account budget (A/66/779).

19. Other identified disadvantages of resident investigators include the need to utilize supplementary resources to ensure the presence of two investigators for all interviews, and the risk to independence posed by the deployment of a single investigator to a mission. OIOS therefore recommends that each investigative unit in a mission comprise at least three investigators (see A/66/755, paras. 54-57).

Regional centres

20. With respect to the centres of investigation, the report stated that adequately resourced and geographically proximate centres provided necessary support to resident investigators, and that investigators in centres were able to devote more time to investigations, as opposed to non-operational activities, and had the flexibility to respond to changes in caseload (see A/66/755, para. 58). Upon enquiry, the Advisory Committee was informed that the time-sheet analysis conducted by OIOS revealed that investigators in missions dedicated 57 per cent of their available time to operational matters (instead of administrative matters), compared with 64 per cent for their counterparts in the centres. The report concluded that regional hubs would anchor the investigative work and would carry it out where no resident capacity existed (see A/66/755, para. 67).

21. With regard to the establishment of an office in Entebbe, Uganda, OIOS indicated that investigators based in Entebbe would be able to utilize United Nations flights for travel to adjacent missions (MONUSCO, UNMISS and UNAMID) that account for 50 per cent of the active caseload of the Office, thereby leading to efficiency and effectiveness in programme delivery and cost savings, although it would entail the relocation of many general temporary assistance positions from Nairobi to Entebbe (see A/66/755, para. 42). **The Advisory Committee requests that OIOS include more detailed analysis of the proposed establishment of an office in Entebbe as part of the final report recommended in paragraph 25 below.**

OIOS training

22. Paragraph 46 of the report stated that OIOS training related to the investigation of prohibited conduct in the workplace referred to in document ST/SGB/2008/5 had been provided to 223 non-OIOS staff members but had been temporarily suspended pending the assessment of the report of the Joint Inspection Unit on the investigative function in the United Nations system, and owing to the concern of the Under-Secretary-General of OIOS that the provision of the training might be in conflict with the responsibility of OIOS to maintain operational independence. Upon enquiry, the Advisory Committee was informed that as OIOS is required to maintain operational independence by not accepting or assuming responsibility for activities that may be subject to its scrutiny, the Office could not

provide direction with respect to or be responsible for training or certifying the competence of staff members outside its direct control.

Ongoing reviews

23. The OIOS report also referred to ongoing change management initiatives within the Office, including a review of its organizational structure and the appointment of an expert panel to assess investigation procedures, vendor sanctions and other matters (see A/66/755, para. 65). **The Advisory Committee notes the pending review of the OIOS organizational structure and the previous review of the structure of the Investigations Division referred to in paragraph 2 above, and is concerned about the impact of repeated reviews of this nature on the stability of the Office. The Committee expects that the current review will lead to a finalized organizational structure and a stabilized staffing table. The Committee also recommends that OIOS be requested to report to the General Assembly on the results of the review of its organizational structure and the findings of the expert panel, including on the investigation procedures followed.**

Consultations with stakeholders

24. Upon enquiry as to the consultations held with stakeholders, as requested by the General Assembly, the Advisory Committee was informed that a copy of the draft pilot project report requesting comments had been provided to the heads of the Department of Peacekeeping Operations, the Department of Field Support and the Department of Management and to the Special Representatives of the Secretary-General. The Committee was also informed that responses had been received from the Department of Peacekeeping Operations, the Department of Field Support, the Department of Management, the Special Representatives of the Secretary-General for Western Sahara, the Democratic Republic of the Congo, Cyprus and Liberia and the Chief of Staff and Head of Mission of the United Nations Truce Supervision Organization. The Committee requested but did not receive copies of the written comments provided by stakeholders. **The Advisory Committee stresses the importance of full consultations with all relevant stakeholders as requested by the General Assembly, with a view to gaining a full understanding of the impact of the pilot project. In this regard, the Committee requests that OIOS take into account all feedback received from relevant stakeholders in the final report recommended in paragraph 25 below and transmit all feedback received to the General Assembly at the time of its consideration of the final report.**

IV. Conclusions

25. The Advisory Committee notes that owing to the timing of the issuance of the OIOS report as mandated by the General Assembly and the timeline of the pilot project, its findings could not be included in the context of the proposed 2012/13 support account budget. It also notes the indication by OIOS that the full results of the pilot project will be reflected in the proposed support account budget for 2013/14 (see A/66/755, para. 68). **The Advisory Committee points out that the pilot project remains effective until 30 June 2012, and that therefore the report submitted by OIOS did not benefit either from a comprehensive assessment of the entire period of the pilot project or from full consultations with all relevant stakeholders. Consequently, the Committee considers the report to be of an**

interim nature, and recommends that the General Assembly request OIOS to submit a final report on the pilot project in the context of the proposed support account budget for the 2013/14 period, which should include a complete assessment of the findings and conclusions resulting from the experience gained during the full period of the pilot project, details on the full consultations with all relevant stakeholders, and a breakdown of the utilization of resources during the pilot period.